

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF TENNESSEE
SOUTHERN DIVISION

In re: Jeanette Frances Coulter)	Chapter 13
)	
)	Case No. 1:17-bk-14611-SDR
Debtor.)	

MOTION OF DEBTOR TO EMPLOY ATTORNEY

NOTICE OF OPPORTUNITY TO OBJECT AND FOR HEARING

Notice is hereby given that:

Pursuant to E.D. Tenn. LBR 9013-1(h), the court may consider this matter without further notice or hearing unless a party in interest files an objection. If you object to the relief requested in this paper, you must file with the clerk of court at 31 East 11th Street, Chattanooga, Tennessee, 37402, an objection within 21 days from the date this paper was filed and serve a copy on the movant's attorney, Valerie W. Epstein, 724 Cherry Street, Chattanooga, Tennessee 37402 and Chapter 13 Trustee, Kara L. West, P. O. Box 511, Chattanooga, Tennessee 37401. If you file and serve an objection within the time permitted, the court will schedule a hearing and you will be notified. If you do not file an objection within the time permitted, the court will consider that you do not oppose the granting of the relief requested in this paper and may grant the relief requested without further notice or hearing. Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

Comes the Debtor, and respectfully makes application to employ as special counsel attorney Valerie W. Epstein of Epstein Law Firm, PLLC, to represent the Debtor and the bankruptcy estate involving a settlement obtained by the Debtor regarding a Pinnacle hip device product liability claim. The Debtor would respectfully show unto the Court as follows:

1. The Debtor wishes to employ attorney Valerie W. Epstein (“Ms. Epstein”) who has offices at 724 Cherry Street, Chattanooga, Tennessee 37402, to represent the Debtor and the bankruptcy estate in regards to the above referenced claim.

2. Ms. Epstein and Epstein Law Firm, PLLC, have experience with claims similar to the above referenced claim. In addition, the Debtor believe Ms. Epstein to be competent and well qualified as representation for the above-referenced claim.

3. To the best of the Debtor’s knowledge, Ms. Epstein does not represent or hold any interest adverse to the Debtors or to the bankruptcy estate with respect to the matter on which she is to be employed. In addition, to the best of the Debtor’s knowledge, Ms. Epstein does not have any interest or connections with the Debtor, the general creditors, or any other party in interest, including their respective attorneys and accountants, the United States Trustee, or any person employed in the office of the United States Trustee. (See **Exhibit A**, Affidavit of Valerie W. Epstein, Esq.)

4. The terms and conditions of employment are as follows:

- a. The attorney fees for Epstein Law Firm, PLLC, related to this Motion and subsequent Motion to Approve Compromise and Settlement and Distribution of Proceeds are a flat rate of \$5,000.00.
- b. The attorney fees for Kiesel Law LLP, Debtor’s attorney in the Pinnacle hip device product liability claim, are 40% of Debtor’s gross settlement amount. Debtor is to reimburse Kiesel Law LLP for necessary expenses and court costs. (See **Exhibit B**, settlement distribution sheet)

5. The Debtor wishes to employ attorney Ms. Epstein under the fee agreement as set forth. Compensation and reimbursement of reasonable expenses will be subject to review by this court.

Respectfully submitted,

EPSTEIN LAW FIRM, PLLC

By: /s/Valerie W. Epstein
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CERTIFICATE OF SERVICE

The undersigned does hereby certify that a copy of the foregoing document and accompanying order has been sent by electronic mail to those shown on the Notice of Electronic Filing receipt issued by the Clerk of Court, by personal delivery and/or by placing a copy of the same in the United States First Class Mail with sufficient postage to insure delivery to its destination on the Debtor, the Trustee, and all creditors listed on the attached mailing matrix

Dated: September 21, 2021

By: /s/Valerie W. Epstein
Valerie W. Epstein
TN BPR No. 013785

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